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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

JONES, PRENELL P

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/022,979</b>	Applicant(s) <b>Niida et al</b>
Examiner <b>Prenell Jones</b>	Art Unit <b>2664</b>

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Dec 18, 2001

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 28, 32-35, 42, and 46-57 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 28, 32-35, 42, and 46-57 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

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***Response to Arguments***

1. Applicant's arguments with respect to claims 28, 32-35, 42, 46-57 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 U.S.C. § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 28, 32-35, 42, 46, 47, 48-53 and 54-57 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Regarding claims 28 and 42, Applicant is claiming on page 2, "a first/second communication unit" which is not indicated in the specification. Claims 32-35, 46, 47, 54-57 and 48-53 respectively depend on claims 28 and 42, therefore, claims 32-35, 46, 47, 54-57 and 48-53 are rejected for the same reason that claim 28 is rejected.

***Claim Rejections - 35 U.S.C. § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 28 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsugawa in view of Lyons et al.

Regarding claims 28, 32, 35, 42, 46, 47, 48, 51 and 53, Nakatsugawa discloses (Abstract, Figs. (1-3, 14 & 15, col. 1, line 40 thru col. 2, line 37) a first/second communication apparatus and external devices operating with different protocols (first/second communication system), (col. 22, line 1-41) a Serial Command Interface (SCI) used to communicate command data, (Fig. 3, col. 21 thru 22) a communication first/second device/system conforms to IEEE 1394/USB communication standard for connecting computer peripheral systems (external devices) and the (col. 1, 2 & 21, line 7-36) execution of a centralization process (predetermined function) in communicating digital data among multiple protocol devices. He further discloses (col. 18-19) multiple external devices connected to various communication systems/apparatus wherein the data exchange is controlled between communication apparatus/external devices and the shifting of active communication apparatus is provided to maintain reliable communication. However, Nakatsugawa is silent on a control unit setting communication units active/passive modes. In analogous art, Lyons discloses (Abstract, col. 6, line 32-63) a processing system that includes controllers with timing mechanism

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which initiate/control multiple imaging devices to periodically alternate between active periods and inactive periods (active/passive states). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement using control circuits that cause imaging devices to alternate sleep mode/active mode which is taught by Lyons with the teachings of Nakatsugawa for the purpose of limiting power usage.

6. Claims 33, 34, 49, 50 and 54-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsugawa in view of Lyons et al as applied to claims 28, 32, 35, 42, 46, 47, 48, 51 and 53 above, and further in view of Jordan et al.

Regarding claims 33, 34, 49 and 54-57, as indicated above, Nakatsugawa discloses (Abstract, Figs. (1-3, 14 & 15, col. 1, line 40 thru col. 2, line 37) a first/second communication apparatus and external devices operating with different protocols (first/second communication system), (col. 22, line 1-41) a Serial Command Interface (SCI) used to communicate command data, (Fig. 3, col. 21 thru 22) a communication first/second device/system conforms to IEEE 1394/USB communication standard for connecting computer peripheral systems (external devices) and the (col. 1, 2 & 21, line 7-36) execution of a centralization process (predetermined function) in communicating digital data among multiple protocol devices. He further discloses (col. 18-19) multiple external devices connected to various communication systems/apparatus wherein the data exchange is controlled between communication apparatus/external devices and the shifting of active communication apparatus is provided to maintain reliable communication, and Lyons discloses (Abstract, col. 6, line 32-63) a processing system that includes controllers with timing mechanism which initiate/control multiple imaging devices to periodically alternate between active periods and inactive periods

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(active/passive states). Both Nakatsugawa and Lyons are silent on communication device conforming to RS-422 and the imaging device being a video camera. In analogous art, Jordan discloses (col. 29, line 46-59, col. 56, line 14-29) a traffic system for surveillance that includes imaging devices wherein RS-422 and RS-232C are used to accommodate effective image communication in a system whereby the imaging device is a video camera. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement using RS-422 and RS-232C to accommodate imaging communication which is taught by Jordan with the combined teachings of Nakatsugawa and Lyons for the purpose of communicating imaging data successfully.

*Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones   
March 10, 2002

KWANG BIN YAO  
PRIMARY EXAMINER

